PATENT
Client-Matter No.: 066654-622 (P-LJ 4714)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Lipton and Okamoto

Serial No.: 09/876,187

Filed: June 5, 2001

For: METHODS OF DIFFERENTIATING AND PROTECTING CELLS BY MODULATING THE P38/MEF2 PATHWAY

Group Art Unit: 1632

Examiner: Anne Marie Falk

Confirmation No.: 5845

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Sequence, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 9, 2003.

By Andrea L. Gashler
Andrea L. Gashler, Reg. No. 41,029

May 9, 2003
Date of Signature

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

STATEMENT UNDER 37 C.F.R. § 1.821(f) and (g)

I hereby state that the content of the paper and computer readable copies of the Sequence Listing, submitted in accordance with 37 CFR § 1.821(c) and (e), respectively, are the same.

I hereby state that the submission, filed in accordance with 37 C.F.R. § 1.821(g) herein does not include new matter.

Respectfully submitted,

May 9, 2003
Date

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Application No.: 09/876,187

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- [X] 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).

- [ ] 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).

- [ ] 3. A copy of the "Sequence Listing" in computer reacable form has not been submitted as required by 37 C.F.R. 1.821(e)

- [ ] 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."

- [ ] 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).

- [ ] 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).

- [X] 7. Other: The specification and/or figures must be amended to identify all disclosed sequences by their sequence identifier (i.e., SEQ ID NO), in accordance with 37 CFR 1.821(d). Since the specification and/or figures disclose sequences that are not identified by their sequence identifiers, it is unclear if all disclosed sequences are included in the sequence listing. A substitute CRF and paper copy of the Sequence Listing are required **only** if the unidentified sequences are not already included in the Sequence Listing.

Applicant Must Provide:

- [X] An **substitute** computer readable form (CRF) copy of the "Sequence Listing".

- [X] A **substitute** paper copy of the "Sequence Listing", **as well as an amendment directing its entry into the specification.**

- [X] A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

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